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} HOUSE OF REPRESENTATIVES {

REPORT
No. 2309

AMENDING TITLE 17 OF THE UNITED STATES CODE ENTITLED
"COPYRIGHTS" WITH RESPECT TO THE DAY FOR TAKING AC-
TION WHEN THE LAST DAY FOR TAKING SUCH ACTION FALLS
ON SATURDAY, SUNDAY, OR A HOLIDAY

JUNE 25, 1952.—Referred to the House Calendar and ordered to be printed

Mr. BRYSON, from the Committee on the Judiciary, submitted the
following

REPORT

[To accompany H. R. 8273]

The Committee on the Judiciary to whom was referred the bill (H. R. 8273) to amend title 17 of the United States Code entitled "Copyrights" with respect to the day for taking action when the last day for taking such action falls on Saturday, Sunday, or a holiday, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

STATEMENT

H. R. 8273 is designed to enable the Copyright Office to receive, on the next business day after a Saturday, Sunday, or holiday, deposits of material and payments of fees which the law requires to be made within a specified period of time, when that period ends on a Saturday, Sunday, or holiday.

Examples of time periods specified in title 17 are those under sections 22, 24, and 25. Under sections 24 and 25, an application for the renewal of a copyright for the second term of 28 years must be received in the Copyright Office within 1 year prior to the expiration of the original 28-year term. Under section 22, the deposit and application for an ad interim copyright must be received in the Copyright Office within 6 months after publication abroad of the book or periodical.

The time limitations are of particular importance with respect to renewal and ad interim applications and may be important in other instances. Valuable copyrights may be lost where the deposit, application, fee, or other material is not received in the Copyright Office in due time.

There have been a substantial number of cases in which the time period expired on a Saturday, Sunday, or holiday, and the required material was received on that last day. The Copyright Office has felt obliged to maintain facilities for the receipt of mail on all non-business days, and to provide special procedures for handling mail received on nonbusiness days together with mail received on the next business day.

The proposed bill, by validating the deposit on the next business day of material due on a Saturday, Sunday, or holiday, would enable the Copyright Office to dispense with the operation of its mail facilities on nonbusiness days and thereby to simplify its procedures and effect some economy in the receipt and handling of its mail.

The proposed bill is similar to existing legislation for the Patent Office (35 U. S. C., sec. 21), which reads:

Where the day, or the last day, fixed by statute for taking any action or paying any fee in the United States Patent Office falls on Sunday, or on a holiday within the District of Columbia, the action may be taken, or the fee paid, on the next succeeding secular or business day.

H. R. 7794, which has passed the House of Representatives, would amend that section to cover due dates falling on a Saturday as well as on a Sunday or holiday. The proposed bill for the Copyright Office follows the same pattern.

CHANGES IN EXISTING LAW

In compliance with clause 2a of rule XIII of the Rules of the House of Representatives, there is printed below new matter proposed shown in italic:

§ 216. *When the day for taking action falls on Saturday, Sunday, or a holiday.*

When the last day for making any deposit or application, or for paying any fee, or for delivering any other material to the Copyright Office falls on Saturday, Sunday, or a holiday within the District of Columbia, such action may be taken on the next succeeding business day.

